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THE MYSTERY OF THE PINCKNEY DRAUGHT. By CHARLES C. NOTT. New York: The Century Co. 1908. pp. 334.

It may fairly be assumed that many reasonably conversant with our constitutional history, have never heard of the Pinckney Draught. It seems advisable, therefore, to state the problem that this book seeks to solve. Charles Pinckney, of South Carolina, presented to the Convention a draught of a constitution. This draught was submitted to the Committee of Detail, appointed to draw up a scheme of government in accord with the results of the debates in the Convention. When the papers of the Convention were opened, it was discovered that the Pinckney Draught was not among them. In 1818, at the request of John Quincy Adams, the Secretary of State, Pinckney furnished the Department with a copy of the Draught. This closely resembled the printed copy of the report of the Committee of Detail. Madison, without giving facts, discredited this copy. Jared Sparks, in writing to Madison in 1831, tersely stated the case thus:

"I think any person examining the two—would pronounce the Committee's Report to be a copy of the Draught, with amendments—.

"If this conclusion be not sound, it will follow that Mr. Pinckney sketched his Draught from the Committee's Report, and in so artful a manner as to make it seem the original—" Quoted, p. 150.

Our author considers the meager evidence carefully. He then criticises it from the standpoint of a trained jurist and concludes that Madison's opinion was unwarranted by the facts. Accordingly, he writes:

"For more than 70 years, Pinckney has been a condemned and misrepresented man, and what is strange, though not inexplicable, his disgrace was primarily caused by the indispensable work which he unselfishly performed for his country without honor and without reward." P. 254.

The subject is primarily of but antiquarian interest. But as an example of scientific criticism of historical sources, the work is excellent. And a careful reading of it leaves one with a better appreciation of the conditions that surrounded, and of the spirit that pervaded, the Constitutional Convention.

BOOKS RECEIVED:

THE LAW OF TORTS. By FRANCIS M. BURDICK. 2nd Ed. Albany: BANKS & Co. 1908. pp. lxxxix, 550.

THE CONTROL OF PUBLIC UTILITIES. In the form of an Annotation of the PUBLIC SERVICE COMMISSION LAW OF THE STATE OF NEW YORK. By WILLIAM M. IVINS and HERBERT DELAVAN MASON. New York: BAKER, VOORHIS & Co. 1908. pp. lxxi, 1149.

THE MODERN LAW OF CORPORATIONS. By ARTHUR W. MACHEN, JR. Boston: LITTLE, BROWN & Co. 1908. 2 volumes. pp. ccxxxv, 1797.

INSOLVENT AND FAILING CORPORATIONS. By S. WALTER JONES. Kansas City: VERNON LAW BOOK CO. 1908. pp. xxv, 1011.

LAW AND CUSTOM OF THE CONSTITUTION. By SIR WILLIAM R. ANSON, BART. 3 volumes. Vol. II: The Crown. Part II. 3rd Ed. Oxford: HENRY FROWDE. 1908. xxiv, 347.